

This listing of claims will replace all prior versions and listings of claims in the application:

Listing of Claims

1.-19. (Cancelled)

20.-27. ~~(Withdrawn)~~ - Cancelled

28.-36 (Cancelled)

37.-40. ~~(Withdrawn)~~ - cancelled

41-43. (cancelled)

¹/~~44~~. (Previously Added) An isolated nucleic acid consisting of the nucleotide sequence of SEQ ID NO: 6.

⁴/~~45~~. (Previously Added) An isolated nucleic acid consisting of nucleotides 1-16 of the nucleotide sequence of SEQ ID NO: 6.

⁷/~~46~~. (Previously Added) An isolated nucleic acid consisting of nucleotides 10-24 of the nucleotide sequence of SEQ ID NO: 6.

²/~~47~~. (Currently Amended) A construct ~~comprising~~ consisting of, one or more than one isolated nucleic acid as defined by claim ¹/~~44~~ in operative association with a gene of interest, and in operative association with one or more than one regulatory element required for the expression of the gene of interest within a host organism.

48.-49. (Cancelled)

³/~~50~~. (New) The construct of claim ²/~~47~~, wherein the one or more than one regulatory element comprises a regulatory element selected from the group consisting of an inducible promoter, a developmentally regulated promoter, a tissue specific promoter, a constitutive promoter, and an enhancer element.

~~5~~
~~51~~. (New) A construct consisting of, one or more than one isolated nucleic acid as defined by claim ~~45~~ in operative association with a gene of interest, and in operative association with one or more than one regulatory element required for the expression of the gene of interest within a host organism.

~~6~~
~~52~~. (New) The construct of claim ~~51~~, wherein the one or more than one regulatory element comprises a regulatory element selected from the group consisting of an inducible promoter, a developmentally regulated promoter, a tissue specific promoter, a constitutive promoter, and an enhancer element.

~~8~~
~~53~~. (New) A construct consisting of, one or more than one isolated nucleic acid as defined by claim ~~46~~ in operative association with a gene of interest, and in operative association with one or more than one regulatory element required for the expression of the gene of interest within a host organism.

~~9~~
~~54~~. (New) The construct of claim ~~53~~, wherein the one or more than one regulatory element comprises a regulatory element selected from the group consisting of an inducible promoter, a developmentally regulated promoter, a tissue specific promoter, a constitutive promoter, and an enhancer element.

~~10~~
~~55~~. (New) An isolated nucleic acid consisting of two copies of the nucleotide sequence of SEQ ID NO: 6.

~~11~~
~~56~~. (New) A construct consisting of the isolated nucleic acid as defined by claim ~~55~~ in operative association with a gene of interest, and in operative association with one or more than one regulatory element required for the expression of the gene of interest within a host organism.

~~12~~
~~57~~. (New) The construct of claim ~~56~~, wherein the regulatory element comprises a regulatory element selected from the group consisting of an inducible promoter, a developmentally regulated promoter, a tissue specific promoter, a constitutive promoter, and an enhancer element.